

REMARKS

Claims 1- 30 are pending. Claims 1, 2, 5, 6, 10, 11, 14, 28 and 30 have been amended.

On November 21, 2004 applicants filed an Information Disclosure Statement with copies of seven references and a European Search Report. A copy of the IDS, 1449 and European Search Report is attached, along with the date stamped post card indicating receipt by the USPTO. The Examiner is requested to review the cited references and return an initialed copy of the 1449 to Applicants.

The Office Action objects to the disclosure because it contains more than 150 words. The disclosure has been amended to obviate this objection, and withdrawal of the objection is requested. Applicants have also updated the continuation information.

The Office Action rejects claims 1-30 under 35 USC 101 as claiming the same invention as that of certain claims of parent patents. The independent claims of this application have been amended to recite the disk control device further having a cache memory for temporarily storing the data received from said host system prior to storing the data in said plurality of disk drives which is believed to not be recited in the claims of the parent patents. Withdrawal of the 101 rejection is requested.

Applicants believe the Examiner may issue an obviousness-type double patenting rejection, and therefore include a terminal disclaimer over these parent patents.

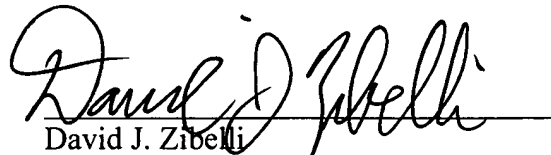
For at least the above reasons, it is submitted all claims are in condition for allowance. Withdrawal of the rejections is requested.

In view of the foregoing remarks, Applicants respectfully submit that the claims as presently written are allowable and an early and favorable action to that effect is respectfully requested.

The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any matter concerning this application.

The Office is authorized to charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 or credit of any overpayment to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,


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